

FORM PTO-1390 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE
(REV 10-2003)

ATTORNEY'S DOCKET NO.

120129.401USPC

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371**

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

10/501 907

INTERNATIONAL APPLICATION NO.

PCT/US03/01982

INTERNATIONAL FILING DATE

21 January 2003

PRIORITY DATE CLAIMED

18 January 2002

TITLE OF INVENTION

HYDROELECTRIC GENERATOR

APPLICANT(S) FOR DO/EO/US

Dennis W. Aukon

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☒ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☒ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☐ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A preliminary amendment.
14. ☒ An Application Data Sheet under 37 CFR 1.76
15. ☐ A substitute specification.
16. ☒ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 – 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information: Declaration; 9 Cited References

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|---|--|---|--|--|--|
| U.S. APPLICATION NO. (If known, see 37 CFR 1.5) <div style="font-size: 2em; font-weight: bold; margin-top: 5px;">10/501907</div> | | INTERNATIONAL APPLICATION NO. PCT/US03/01982 | | ATTORNEY'S DOCKET NUMBER 120129.401USPC | |
|---|--|---|--|--|--|

| 21. <input checked="" type="checkbox"/> The following fees are submitted: Basic National Fee (37 CFR 1.492(a)(1)-(5)): Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO \$1080.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$920.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$770.00 International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$730.00 International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) \$100.00 <div style="text-align: right;">ENTER APPROPRIATE BASIC FEE AMOUNT =</div> | CALCULATIONS PTO USE ONLY | | | | | | | | | | | | | | | | | |
|---|----------------------------------|--------------|-----------------------------------|------|--------------|-----------|---|------------|--------------------|---------|---|------------|---|--|--|------------|----|----------|
| Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)). | \$ | .00 | | | | | | | | | | | | | | | | |
| <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 20%;">Claims</th> <th style="width: 20%;">Number Filed</th> <th style="width: 20%;">Number Extra</th> <th style="width: 40%;">Rate</th> </tr> <tr> <td>Total Claims</td> <td>22 - 20 =</td> <td>2</td> <td>x \$ 18.00</td> </tr> <tr> <td>Independent Claims</td> <td>4 - 3 =</td> <td>1</td> <td>x \$ 86.00</td> </tr> <tr> <td colspan="3">MULTIPLE DEPENDENT CLAIM(S) (if applicable)</td> <td>+ \$290.00</td> </tr> </table> | Claims | Number Filed | Number Extra | Rate | Total Claims | 22 - 20 = | 2 | x \$ 18.00 | Independent Claims | 4 - 3 = | 1 | x \$ 86.00 | MULTIPLE DEPENDENT CLAIM(S) (if applicable) | | | + \$290.00 | \$ | 1,042.00 |
| Claims | Number Filed | Number Extra | Rate | | | | | | | | | | | | | | | |
| Total Claims | 22 - 20 = | 2 | x \$ 18.00 | | | | | | | | | | | | | | | |
| Independent Claims | 4 - 3 = | 1 | x \$ 86.00 | | | | | | | | | | | | | | | |
| MULTIPLE DEPENDENT CLAIM(S) (if applicable) | | | + \$290.00 | | | | | | | | | | | | | | | |
| TOTAL OF ABOVE CALCULATIONS = | | | \$521.00 | | | | | | | | | | | | | | | |
| <input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2. | | | \$521.00 | | | | | | | | | | | | | | | |
| SUBTOTAL = | | | \$521.00 | | | | | | | | | | | | | | | |
| Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)). | | | \$ | .00 | | | | | | | | | | | | | | |
| TOTAL NATIONAL FEE = | | | \$521.00 | | | | | | | | | | | | | | | |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property | | | \$ | .00 | | | | | | | | | | | | | | |
| TOTAL FEES ENCLOSED = | | | \$521.00 | | | | | | | | | | | | | | | |
| | | | Amount to be refunded: | | | | | | | | | | | | | | | |
| | | | Charged: | | | | | | | | | | | | | | | |

a. ☒ A check in the amount of \$ 521.00 cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account No. 19-1090 in the amount of \$ _____ to cover the
above fees. A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any
overpayment to Deposit Account No. 19-1090. A duplicate copy of this sheet is enclosed.

d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card
information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

**NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or
(b)) must be filed and granted to restore the application to pending status.**

SEND ALL CORRESPONDENCE TO:

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| Timothy L. Boller Seed Intellectual Property Law Group PLLC 701 5 th Avenue, Suite 6300 Seattle, WA 98104-7092 United States of America (206) 622-4900 | <div style="text-align: center;"> </div> <div style="border-top: 1px solid black; margin-top: 5px;"> SIGNATURE </div> <div style="border-top: 1px solid black; margin-top: 10px;"> Timothy L. Boller </div> <div style="border-top: 1px solid black; margin-top: 5px;"> NAME </div> <div style="border-top: 1px solid black; margin-top: 10px;"> 47,435 </div> <div style="border-top: 1px solid black; margin-top: 5px;"> REGISTRATION NUMBER </div> |
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